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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3811 of 2007

PETITIONERS : 1. Ku. Ludgard, Aged about 62 years, Daughter of Late Paulus, retired Head Mistress, Muktidata Middle School, Larangi, Post Office Umko, District Ambikapur (Chhattisgarh).
2. Ku. Pratibha Grace Tigga, Aged about 46 years, Daughter of Shri Patras Tigga, Assistant Teacher, Muktidata Middle School Larangi, Post Office Umko, District Ambikapur (Chhattisgarh).
3. Leos Ekka, Aged about 34 years, Son of Shri Dhan Sai Ekka, Assistant Teacher, Muktidata Middle School, Larangi, Post Office Umko, District Ambikapur, (Chhattisgarh)
4. Mrs. Leoni Xess, Aged about 38 years, Wife of Shri Leos, Assistant Teacher, Muktidata Middle School, Larangi, Post Office Umko, District Ambikapur (Chhattisgarh).

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, through Secretary, Tribal Welfare Department, Mantralaya, D.K.S. Bhawan, Raipur (Chhattisgarh).
2. Commissioner, Tribal Welfare Department, District Ambikapur (Chhattisgarh).
3. Catholic Sansthan Surguja, Uttar Purb Parikshetra, through Nirdeshak, Bishop's House, Ambikapur (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Anupam Dubey, Advocate for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondent No. 1and 2.

ORDER
(Passed on 4th day of July, 2007)

1. Learned counsel appearing for the petitioners submits that the petitioner No. 1 is the retired Head Mistress and petitioner No. 2 to 4 are teachers working in the respondent No. 3 Institute. The petitioners are entitled to

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grant of the Fifth Pay Commission in the light of the judgment and order dated 6.2.2007 passed by this Court in the case of Smt. A. Lall Vs. State of Chhattisgarh & Others (W.P. No. 4108 of 2005) with other connected matters.

2. Learned counsel further submits that this case is squarely covered on facts as well as on question of law by the decision of this Court in the matter of Smt. A. Lall Vs. State of Chhattisgarh & others and other connected matters (supra).

3. Learned counsel appearing for the respondent No. 1 and 2/State submits that the petitioners have not filed any document indicating asto whether the petitioners are appointed within the sanctioned post and the school is Government aided.

4. In view of that, the writ petition is allowed in the same terms passed by this Court in the matter of **Smt. A. Lall Vs. State of Chhattisgarh & Others and other connected matters** (supra), subject to verification of the fact asto whether the respondent No. 3 Institute is a Government aided school and the petitioners are teachers within the sanctioned strength.

Sd/-
Satish K. Agnihotri
Judge

Amit